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EXECUTIVE COUNCIL

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**ACTIVITY REPORT OF THE AFRICAN UNION ADVISORY BOARD
ON CORRUPTION (AUABC)**

AFRICAN UNION ADVISORY BOARD ON
CORRUPTION

الجلسة الاستشارية للإتحاد الإفريقي
لمكافحة الفساد



CONSEIL CONSULTATIF DE L'UNION AFRICAINE SUR
CORRUPTION

CONSELHO CONSULTIVO DA UNIÃO AFRICANA SO
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**10TH ACTIVITY REPORT OF THE AFRICAN UNION ADVISORY BOARD ON
CORRUPTION TO THE EXECUTIVE COUNCIL (January 2019)**

**Submitted in Accordance with
Article 22 of the African Union Convention on Preventing and Combating
Corruption**

I. SUMMARY

1. The African Union Advisory Board on Corruption (AUABC) was established in accordance with the provisions of article 22 (5) (a) of the African Union Convention on Preventing and Combating Corruption (AUCPCC). The Convention was adopted at the second ordinary session of the Assembly of Heads of States and Government of the African Union in Maputo, Mozambique, on 11th July 2003, and entered into force on 5th August 2006, thirty (30) days after the deposit of the fifteenth instrument of ratification. As at November 2018, the Convention had been signed by 49 states and ratified or acceded to by 40 states.

2. According to article 22 (5) of the Convention, the functions of the Board are, among others: “to promote and encourage the adoption and application of anti-corruption measures” by States Parties to prevent, detect, punish and eradicate corruption and related offences in Africa” and “to submit a report to the Executive Council on a regular basis on the progress made by each State Party in complying with the provisions of this Convention.

3. This is the 10th report of the Advisory Board on Corruption to the Executive Council. The report contains details of the activities of the Advisory Board covering the period January to 30 November, 2018 including an assessment of the implementation of the AUCPCC.

II. BACKGROUND

4. The Board is composed of eleven (11) members, nominated by States Parties and elected and appointed by the Assembly through the Executive Council from a list of experts. Members of the Board are elected for a two-year term renewable once. The Board is currently composed of nine (9) members, including two members serving their second and final term, three whose mandate started running in January 2017, two whose mandate started running in July 2017 and one whose mandate started running in January 2018. The Board comprises of the following members:

- Mr. Begoto MIAROM (Chad) – Chairperson; elected in January 2017 serving a first term;
- Mr. Hocine AÏT CHALAL (Algeria) – Vice-chairperson; elected in July 2017 serving a first term;
- Ms. Elisabeth Afiavi GNANSOUNOU FOURN (Benin) – Rapporteur; elected in January 2017 serving a first term;
- 1 Ms. Florence ZIYAMBI (Zimbabwe); elected in January 2017 serving a second term;

- Mr Paulus Kalonho NOA (Namibia); elected in January 2017 serving a second term;
- Mr. Bamouni PASCAL (Burkina Faso); elected in January 2017 serving a first term;
- Ms. Sabina SEJA (Tanzania); elected in July 2017 serving a first term;
- Ms. Anne-Marie Mougemba KIBONGUI SAMINOU (Congo); elected in July 2017 serving a first term; and
- Ms. Amal Mahmoud Ammar (Egypt); elected in January 2018 serving a first term.

a. The Bureau

5. Comprising of the Chairperson, the Vice Chairperson and the Rapporteur, the Bureau ensures the planning and coordination of activities of the Board. It shall supervise the activities of the Secretariat of the Advisory Board.

b. The Secretariat of the Board

6. Under the overall and direct supervision of the Executive Secretary and under the authority of the Bureau respectively, the Secretariat provides technical, professional, administrative and logistical support to the Advisory Board. Its organisational structure, which is based on African Union (AU) policies, is designed to integrate professional, technical and administrative staff.

➤ The Staff of the Secretariat

7. As at 1 November 2018, the Secretariat was composed of nine (9) members, including five (5) permanent members and four (4) contractual members.

- An Executive Secretary(permanent)
- A Senior Policy Officer for Political and Legal Matters (permanent)
- A Senior Policy Officer for Economic and Statistical Matters (permanent)
- A Finance and Administration Officer(permanent)
- A Computer Specialist (contractual)
- A Documentalist /Administrative Assistant (permanent)
- An Assistant Accountant (contractual)
- A Bilingual Secretary (contractual)
- A Driver/ Messenger (contractual)

III. ACTIVITIES OF THE BOARD

A. STATUTORY MEETINGS

8. As at 1 November 2018, two statutory meetings were held during the period under

review namely (i) the 26th Ordinary Session held from 11- 16 March 2018 and (ii) the 27th Ordinary Session held from 4 – 8 June 2018. The Board also held its 2nd Extra Ordinary Session from 5 – 10 October 2018.

- a) During the 26th Ordinary Session held from 11- 16 March 2018 in Arusha, Tanzania, Headquarters of the Advisory Board, a number of decisions were taken. It is worth recalling that these decisions were instructions given to the Secretariat for immediate implementation. These include :
- Applying the theme logo for the Year (2018) on the Board Web site and all social media accounts. Configuring alerts for Board Members to receive updates on social media;
 - Presenting a summary table including 2017 missions and their financial implications as this has never been done so far ;
 - Engaging with a GIZ delegation for potential collaboration in various areas of partnership and support.
 - As concerns the 2019 Budget, and given the limited capacity of the Secretariat to successfully carry out its mission, the Board advised the Secretariat to propose a new organizational structure to convey to relevant bodies of the African Union. This organizational structure should include a recruitment of additional staff comprising a Senior Governance, Procurement and Travel Officer (P3), a Human Resource Officer (P2), a Communication Officer (P2), an Assistant Protocol (GSA5) and an Assistant Accountant (GSA5).
- b) 27th Ordinary Session held from 4 – 8 June 2018 – This session examined financial and administrative matters including various audit reports. It also reviewed preparations for the 31st AU Summit to which the debate on the theme of the year was held. This led to decisions, including :
- The possibility for Board Members to receive health insurance like elected members of other AU organs as the African Commission of Human and People's Rights ;
 - The follow up of decisions taken during its sessions ;
 - The presentation of an up-to- date implementation table of the Board strategic plan
- c) 2nd Extraordinary Session held from 5 – 10 October 2018 – The Session reviewed the Board's state reporting questionnaire and the progress made in achieving the theme of the year.
- d) The Advisory Board intends to hold its 28th Session from 10-20 December 2018. The Board will finalise the revision of the Convention, as recommended by the Nouakchott Summit, and the questionnaire. It will be also be envisaged to present an overview of activities carried out within the commemoration of 2018 Theme.

B. ASSESSMENT OF THE STATUS OF RATIFICATION OF THE AFRICAN UNION CONVENTION ON PREVENTING AND COMBATING CORRUPTION

9. To date, out of 55 AU Member States, there are forty-nine (49) signatures and forty (40) ratifications. Fifteen (15) States have not yet ratified the Convention.

10. Below is the list of signatures and ratifications:

No Signature / Signatures only

No.	COUNTRY	DATE OF SIGNATURE	DATE OF/ RATIFICATION/ ACCESSION	DATE DEPOSITED
1	Cameroun	30/06/2008	-	-
2	Central African Rep.	-	-	-
3	Cape Verde	-	-	-
4	Djibouti	15/11/2005	-	-
5	Democratic Rep. Of Congo	05/12/2003	-	-
6	Equatorial Guinea	30/01/2005	-	-
7	Eritrea	25/04/2012	-	-
8	Mauritania	30/12/2005	-	-
9	Morocco	-	-	-
10	Somalia	23/02/2006	-	-
11	Sao Tome & Principe	01/02/2010	-	-
12	South Sudan	24/01/2013	-	-
13	Sudan	30/06/2008	-	-
14	Swaziland	07/12/2004	-	-
15	Tunisia	27/01/2013	-	-

Ratifications (40)

No.	COUNTRY/PAYS	DATE OF SIGNATURE	DATE OF RATIFICATION/ ACCESSION	DATE DEPOSITED
1	Angola	22/01/2007	20/12/2017	25/01/2018
2	Algeria	29/12/2003	23/05/2006	06/07/2006
3	Benin	11/02/2004	20/09/2007	07/11/2007
4	Botswana	-	14/05/2014	19/08/2014
5	Burkina Faso	26/02/2004	29/11/2005	15/02/2006
6	Burundi	03/12/2003	18/01/2005	10/03/2005
7	Chad	06/12/2004	03/03/2015	27/04/2015
8	Côte d'Ivoire	27/02/2004	14/02/2012	05/11/2012
9	Comoros	26/02/2004	02/04/2004	16/04/2004

10	Congo	27/02/2004	31/01/2006	24/04/2006
11	Egypt	30/01/2017	01/01/2017	25/08/2017
12	Ethiopia	01/06/2004	18/09/2007	16/10/2007
13	Gabon	29/06/2004	02/03/2009	08/04/2009
14	Gambia	24/12/2003	30/04/2009	09/07/2009
15	Ghana	31/10/2003	13/06/2007	20/07/2007
16	Guinea-Bissau	21/01/2006	23/12/2011	04/01/2012
17	Guinea	16/12/2003	05/03/2012	12/04/2012
18	Kenya	17/12/2003	03/02/2007	07/03/2007
19	Libya	05/11/2003	23/05/2004	30/06/2004
20	Lesotho	27/02/2004	26/10/2004	05/11/2004
21	Liberia	16/12/2003	20/06/2007	20/07/2007
22	Madagascar	28/02/2004	06/10/2004	09/02/2005
23	Mali	09/12/2003	17/12/2004	14/01/2005
24	Malawi	-	26/11/2007	27/12/2007
25	Mauritius	06/07/2004	04/05/2018	24/05/2018
26	Mozambique	15/12/2003	02/08/2006	24/10/2006
27	Namibia	09/12/2003	05/08/2004	26/08/2004
28	Nigeria	16/12/2003	26/09/2006	29/12/2006
29	Niger	06/07/2004	15/02/2006	10/05/2006
30	Rwanda	19/12/2003	25/06/2004	01/07/2004
31	South Africa	16/03/2004	11/11/2005	07/12/2005
32	Sahrawi Arab Democratic Rep.	25/07/2010	27/11/2013	27/01/2014
33	Senegal	26/12/2003	12/04/2007	15/05/2007
34	Seychelles	-	01/06/2008	17/06/2008
35	Sierra Leone	09/12/2003	03/12/2008	11/12/2008
36	Tanzania	05/11/2003	22/02/2005	12/04/2005
37	Togo	30/12/2003	14/09/2009	22/10/2009
38	Uganda	18/12/2003	30/08/2004	29/10/2004
39	Zambia	03/08/2003	30/03/2007	26/04/2007
40	Zimbabwe	18/11/2003	17/12/2006	28/02/2007

11. The Board continues to foster and sensitize Member states on the need to accede to the Convention through appeals and high level advocacy missions.

C. ACTIVITIES

(a) Report on the implementation of the Convention by States Parties

12. During the reporting period, the Board did not receive any report from States Parties. To date, 13 out of the 40 States Parties have submitted baseline reports. States Parties that are compliant with their obligation to submit their baseline report are Burkina Faso, Comoros, Ethiopia, Kenya, Madagascar, Namibia, Nigeria, Rwanda, Sierra Leone,

Tanzania, Togo, Uganda and Zimbabwe. The Board calls on the 27 other states that have not yet done so to submit their baseline reports to the Board.

(b) Evaluation Missions

13. In September 2018 the Board undertook an evaluation mission to Namibia to engage with the state on its report on the Convention. The delegation held meetings with various authorities including the Ministry of Justice, the national Anti-corruption Commission, the National electoral Commission, the Anti-Money Laundering Unit, the Office of the Ombudsman, the Parliamentary Public Accounts Committee, the financial intelligence Unit, the Auditor General and Prosecutor General. The Board held a workshop with the civil society and paid a courtesy visit to the Prime Minister, Hon. Saara Kuugongelwa-Amadhila, and Advisors at the Presidency. The delegation of the Board also paid a courtesy visit to the Minister of International Relations and Cooperation and was received by Hon. Vice Minister Christine Hoebes.

14. In November 2018, the Board undertook an evaluation mission to Rwanda to engage with the state on its report on the Convention. The delegation held meetings with various authorities including the Office of the Ombudsman, Public Procurement Authority, National Public Prosecution Authority, Investigation Bureau, the Office of the Auditor General and the Forum of civil society. A courtesy visit was paid to the President of Senate.

15. The evaluation mission to Algeria initially scheduled from 2-7 December 2018 was postponed indefinitely by Algerian Authorities.

16. The Board shall review the Evaluation Mission Reports together with the Baseline Report in accordance with its Rules of Procedure and present a comprehensive report to the Executive Council in 2020.

(c) Collaboration with Stakeholders

17. As part of its mandate pursuant to Article 22(5)(g) of the Convention to build partnerships with a broad range of stakeholders involved in the fight against corruption as well as within the auspices of Project 2018, the Board held a number of engagements with anti-corruption stakeholders.

18. The Board participated at the 18th International Anti-Corruption Conference where it shared with the international anti-corruption community the African Union's perspectives on winning the fight against corruption in Africa. It also attended the 54th Governing Board Meeting of the African Organisation of Supreme Audit Institutions (AFROSAI) in an effort to build greater synergies between supreme audit institutions, national anti-corruption agencies and the Board. The Board convened the inaugural edition of the Experiential Learning Institute on Corruption with the MS Training Centre for Development Cooperation (MS-TCDC) that trained 20 anti-corruption activists on new approaches to

fight corruption. It similarly participated in the 3rd Edition of the Continental Civil Society Forum of the Multi-Sectoral Working Group on Corruption to engage with civil society organisations and commemorate the African Anti-Corruption Day. Parallel to the 63rd Session of the African Commission of Human and Peoples' Rights, the Board called for collaboration with human rights organizations and civil society forums enjoying observers status with the Banjul Commission.

19. Concerning the implementation of the Nouakchott Declaration, the Board participated in the meeting organized by the High Level Panel on Illicit Financial Flows, the Working Group on Illicit Financial Flows and the United Nations Economic Commission for Africa in November 2018, with the Authorities of the United Republic of Tanzania. It was agreed during the meeting that the Board should identify States that have embarked on the recovery of stolen assets in order to prepare a report and a roadmap within the framework of the African common.

(d) Collaboration with African Union organs and other institutions

20. During the year, the Board was engaged in a number of activities organised by organs of the Union. This was mainly in furtherance of the AU Annual theme hinging on combatting corruption.

21. The Board was represented at the 63rd Ordinary Session of the African Commission on Human and People's Rights as well as the 5th and 6th Ordinary Session of the Pan African Parliament. The theme of the Commission's 63rd Ordinary Session as well as commemoration of African Human Rights Day was dedicated to fighting corruption and advancing human rights. The annual theme of the Pan African Parliament was similarly dedicated to fighting corruption. The Board, in partnership with the African Committee of Experts on the Rights and Welfare of the Child also undertook a joint study on assessing the cost of corruption on the welfare of children as part of the activities to mark the African Anti-Corruption Year. The Board also spoke on the theme of the year at the oath taking ceremony of the new judges of the African Court of Human and Peoples' Rights.

(e) Second African Anti-Corruption Dialogue

22. Pursuant to Article 22(5)(g) of the Convention mandating the Board to build partnerships between relevant actors in the fight against corruption, the Board convened the second African Anti-Corruption Dialogue from 2-4 October 2018. The dialogue served as a forum for reflection, strategy development and experience sharing between national agencies mandated to fight corruption, AU organs and institutions, member states, anti-corruption experts and other crucial actors in the fight against corruption. The second edition of the dialogue was geared towards developing an African Anti-Corruption methodology uniquely designed with the African landscape in mind.

23. The dialogue brought together over 150 participants including national

anticorruption agencies from across the continent. The annual dialogue has proved to be a useful forum for sharing of experiences between states and further publicizing the under-reported success stories of member states in fighting corruption. Participants, called on the Board to institutionalize the forum in the annual calendar of activities of the African Union as a means to strengthen dialogue and reinforce partnerships between various anti-corruption actors.

24. The Board wishes to request the institutionalization of the Annual African Anti-Corruption Dialogue as a regular feature of the Board's work programme.

(f) The African Anti-Corruption Year (Project 2018)

25. Following Decision EX.CL/Dec.978(XXXI) of the Executive Council to recommend the appointment of H.E Mr. Muhammadu Buhari, President of the Federal Republic of Nigeria as the Champion of the theme for 2018, a detailed report on the implementation of activities for the theme of the year will be presented by H.E Mr. Muhammadu Buhari.

(g) Revision of the Rules of Procedure

26. During its 25th Session, the Board amended its Rules of Procedure to align it with the Convention. The Board has therefore been able to extend the duration of its current sessions from five (5) days to two (2) weeks to have more time to examine items of its agendas.

(h) Shortcomings of the Secretariat of the Board

27. The Board Secretariat suffers numerous shortcomings. Staff members of the Secretariat do not assist the Board in fulfilling its mandate: they do not follow or implement instructions of the Board, refuse to reply emails from the Chair, lack of transparency in their management of financial resources, lack of interim management within the Secretariat, information blackout, they refuse to submit their financial report to Board Missions. The Board is facing gross insubordination from the staff of the Secretariat.

28. Though the Board has reported these frequent insubordinations to the Commission of the African Union, no solution has been brought to the problem. Staff members continue to snatch responsibilities from and challenge the Board on a daily basis.

29. Obviously, such behaviour has negatively impacted the credibility of the Board and caused the loss of partnerships with technical and financial partners, notably after the issue of an audit report for 2013 budgetary year. Some excesses contained in the report have never ceased. The Board must address this issue to put the Secretariat in order and allow the Chairperson of the Board to supervise and coordinate the smooth running of the Secretariat as obtained in the Court and in the Commission (see various memos, 2013 Audit Report and Decisions on poor management of the Board as annexure).

(i) Death and resignation of a Board Member.

30. The Board wishes to inform the Executive Council of the passing away on 28 December 2017 of Board Member Honourable John Kithome Tuta, a national of Kenya, following an illness. Honourable Tuta was elected for the first time during the 26th Session of the Board held in Addis Ababa from 23– 27 January 2015 for a two-year term. He was re-elected during the 30th Session of the Executive Council held in Addis Ababa from 25– 27 January 2017 for another two-year term.

Resignation of Honourable Daniel Batidam

31. It is worth recalling that Honourable Daniel Batidam, Board Member from Ghana, presented his resignation letter to the Chairperson of the Board for transmission to the Executive Council through the President of the AU Commission. Unlike the normal procedure whereby the resignation letter is transmitted to the Executive Council that elected the resigning member, the Board received a letter from the Vice President of the Commission accepting the resignation. This is quite surprising, since it behoves the Executive Council that elected Honourable Batidam to react to his resignation letter. To date, Honourable Batida mis still waiting for the outcome of his resignation letter (see letter as annexure.)

IV. RECOMMENDATIONS

(a) Ratification of the Convention by all Member States

32. The ratification of the Convention by all the Member States is one of the priorities of the Board. During the reporting period, Angola and Mauritius ratified the Convention and the Board wishes to formally congratulate them for their decision. The Board urges Angola and Mauritius to submit its baseline report pursuant to Art. 22(7) of the Convention by January and May respectively. The Board notes that while ratification of legal instruments relates to the sovereignty of States, the Board would like to encourage all States that have not ratified the Convention, to proceed to accede to the same.

33. The Board looks forward to strong mobilisation by Member States in favour of universal ratification of the Convention.

(b) Reports on the Implementation of the Convention by States Parties

34. The Board wishes to request the 27 States Parties that have not yet done so to submit their reports on the implementation of the Convention pursuant to their obligations under Article 22(7). The Board further recommends that States Parties designate national focal points to facilitate easily communication between the Board and States Parties.

(c) Response to requests for hosting missions of the Board

35. The Board remains constrained in its ability to engage with Member States due to the slow response by states to its request to engage in evaluation and sensitization missions. The Board calls on member states to respond in a timely manner to its requests to host various missions.

36. The Board further appeals to states to offer to host the statutory sessions of the Board as a means to assist with promoting the visibility of the Board within member states.

(d) Institutionalization of the African Anti-Corruption Dialogue

37. The Board wishes to request the institutionalization of the Annual African Anti-Corruption Dialogue as a regular feature of the Board's work programme.

(e) Audit Implementation

38. It is the wish of the Advisory Board for the implementation of the Nouakchott Decision requiring an immediate independent audit of administrative, financial and human resources for urgent administrative steps to be taken in order to put the Secretariat in order and allow the Board to carry out its mission hitch-free.

39. The Board urges the Executive Council to engage Member Countries to submit their initiatives on the recovery of stolen assets for a better coordination and invites other stakeholders, including the African Development Bank, to join the Working Group on Illicit financial flows.

**DRAFT DECISION ON THE REPORT OF THE AFRICAN UNION ADVISORY BOARD
ON CORRUPTION**

I. PREAMBLE / LEGISLATIVE BACKGROUND

1. **TAKES NOTE** of the Report of the African Union Advisory Board on Corruption and the recommendations contained therein;

II. BODY

2. **COMMENDS** the Republic of Angola and the Republic of Mauritius for acceding to the African Union Convention on Preventing and Combating Corruption (AUCPCC) in 2018 and urges them to file their baseline reports within one year as required by Article 22(7) of the AUCPCC.
3. **URGES** Member States which have not yet acceded to the Convention, to proceed to consider accession with a view to achieving continental ratification of the AUCPCC.
4. **URGES** States Parties to the Convention that are yet to do so to urgently submit their baseline report on the implementation of the provisions of the Convention to the Advisory Board as provided for under Article 22 (7) of the Convention;
5. **COMMENDS** the Advisory Board for convening the African Anti-Corruption Dialogue as a forum for sharing lessons on anti-corruption efforts on the continent and **DECIDES** to institutionalize the African Anti-Corruption Dialogue as an annual activity of the Union.
6. **CALLS ON** Member States to offer to host the statutory sessions of the Board and to respond in a timely manner to its requests to organize evaluation and sensitization missions.
7. **CALLS ON** Member States to collaborate with the Advisory Board to come up with a common African position on the recovery of stolen assets by submitting to the Board their various relevant local initiatives and **URGES** all stakeholders, including the African Development Bank, to join the Working Group on Illicit Financial Flows;
8. **NOTES** the Revision of the Rules of Procedure of the Advisory Board;
9. **RECOMMENDS** the Commission to speed up the independent audit on administrative, financial and human resources within the Advisory Board;
10. **ADOPTS** recommendations of the tenth Board Report.

ANNEXES



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URGENT MEMORANDUM

FROM THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION (AUABC)

TO THE CHAIRPERSON OF THE AFRICAN UNION COMMISSION

**RE: PERTINENT ISSUES ON THE OPERATIONS OF THE AFRICAN
UNION ADVISORY BOARD ON CORRUPTION**

I. INTRODUCTION

During the 22nd Ordinary Session of the African Union Advisory Board on Corruption (AUABC) held in Arusha, Tanzania, from 11 to 16 December, 2016, the Board considered a number of pertinent issues regarding its operations, and which require your urgent attention. These include:

- The current situation of the Board
- Recruitment of AUABC Executive Secretary and senior management Staff
- Maladministration at the Secretariat
- Capacity-related constraints
- Executive Secretary's notorious insubordination and incompetence

II. THE CURRENT SITUATION OF THE BOARD

a) Mandate

According to Article 22(4) of the African Union Convention on Preventing and Combating Corruption (hereinafter referred "the Convention"), the eleven (11) members of the Advisory Board are appointed for a two-year term, renewable once.

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The current Board was elected into office during the AU Summit held in January, 2015 for a period of 2 years. However, the members did not begin their mandate until 4 May, 2015, when they were sworn into office. Four (4) of the members will have served two terms by January 2017, while the other seven (7) are eligible for re-election as per the Convention.

From the experience of the Board over the past 4 years, the two-year term for members is too short for it to plan and execute its strategies in line with its mandate. **Consequently, the Board recommends that:**

- i) **The AU Policy Organs amend the tenure of the Board from 2 years to a fixed term of five years as was done for the African Committee of Experts on the Rights and Welfare of the Child (ACERWC);**
 - ii) **The tenure of the Board be clearly determined to start from the date of taking oath of office.**
- b) **The recently introduced AU policy on regional, gender and other representational issues vis-à-vis current situation of the Advisory Board**


While respecting the AU policy on the above, the Board is of the view that some flexibility in its application would enhance the Board's effectiveness in the execution of its mandate.

III. RECRUITMENT OF THE AUABC EXECUTIVE SECRETARY AND SENIOR MANAGEMENT STAFF

The Board notes, with concern that, so far, the recruitment of the Executive Secretary and other senior officers at the Secretariat of the Board, were without recourse to the latter. Consequently, the persons who have been recruited lacked the required competencies and expertise to meet the expectations of the Board for the purposes of executing its mandate. Although in recent times, the Board has been involved in the recruitment of some senior policy officers, this needs to be formalized.

IV. MALADMINISTRATION AT THE AUABC SECRETARIAT

The Board notes with grave concern the recurrence of certain acts of incompetence, misconduct, dishonesty, mismanagement and other instances of abuse of entrusted power at its Secretariat.

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a) **Non-adherence to financial rules and regulations**

The Board has observed a number of instances where funds allocated for various purposes have not been managed in a proper, prudent, efficient and accountable manner, very often, in total disregard for AU Financial Rules and Regulations and recommendations of the AU's Office of the Internal Auditor. A typical example is the fact that, throughout the current year, and contrary to clear directives by the Office of the Internal Auditor, the Executive Secretary has failed to submit budgets of the Board for approval by its Bureau. The Executive Secretary simply failed to comply with procurement rules of the Union resulting in unnecessary financial losses. **As such, the Board strongly recommends further investigations be conducted into the management of its finances by the Executive Secretary.**

b) **Non-implementation of instructions and decisions of the Board**

The Board has observed several cases where the Executive Secretary has disregarded and/or disobeyed instructions and decisions of the Chairperson or the Board, which amounts to insubordination. This has adversely affected the output of the Board in terms of executing its mandate. **The Board is of the view that the Executive Secretary's refusal to implement its decisions amounts to gross insubordination, which calls for appropriate administrative sanctions to be expeditiously applied against the Executive Secretary.**

c) **Breach of confidentiality of the Board**

On 14 December, 2016, the attention of the Board was drawn to the fact that ongoing proceedings of the 22nd Ordinary Session of the Board were being secretly tape-recorded for unjustifiable reasons. This raised serious suspicions not only on the motives for the said recordings, but the ethical and legal ramifications for the Board's security and integrity. It was even more disturbing when the Executive Secretary admitted that she had authorized the said secret recordings and that it was actually not the first time she did so. **The Board, therefore, strongly recommends that further investigations be conducted to establish the motives behind the said secret recording so that appropriate measures are taken.**

V. CAPACITY-RELATED CONSTRAINTS

As earlier noted, the Secretariat of the Board is seriously understaffed, which has adversely affected the execution of its mandate. At the moment, the Secretariat has only three permanent staff, namely the Executive Secretary, the Finance and Administrative Officer (FAO) and the Documentalist in addition to two temporary staff – a driver and a bilingual secretary. This has resulted in a situation where the FAO

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performs procurement, accounting, and auditing functions, thereby creating fertile grounds for corruption, mismanagement, and abuse of the funds of the Board.

The Board therefore recommends that the AU Commission takes immediate steps to facilitate the recruitment of competent and adequate staff for its Secretariat.

VI. EXECUTIVE SECRETARY'S INSUBORDINATION AND INCOMPETENCE

The poor track record and understaffing at the Secretariat has been compounded by the display of gross insubordination, incompetence and dishonesty by the Executive Secretary in the supervisory, technical and managerial roles associated with her position. It is the view of the Board that these inadequacies should be taken seriously into account when considering the confirmation of the Executive Secretary to her current position.

VII. CONCLUSION

In view of the foregoing, the current Board, as has been the case with previous Boards, has been challenged in the fulfillment of its plans and activities as spelt out in its Strategic Plan for the period under review. The Board recommends that the AU Commission urgently implements the recommendations stated above to enable the organ to effectively execute its mandate.

g JBE H

Signed on this sixteenth day of December, 2016 in Arusha, Tanzania

Mr. Daniel Batidam (Ghana)

Chairperson

[Signature]

Mrs. Florence Ziyambi (Zimbabwe)

Vice-Chairperson

[Signature]

Mr. John Kithome Tuta (Kenya)

Rapporteur

[Signature]

Mr. Ekwabi Webster Mujungu (Tanzania)

Member

[Signature]

Mr. Isa Ozi Salami OFR (Nigeria)

Member

[Signature]

Mrs. Angèle Barumpozako (Burundi)

Member

.....
Mrs. Akossiwa Ayena (Togo)

Member

.....
Dr. Jean-Baptiste Elias (Benin)

Member

.....
Mr. Jacques III Achiaou (Côte d'Ivoire)

Member

.....
Mr. Sefako Aaron Seema (Lesotho)

Member

**AFRICAN UNION ADVISORY BOARD ON
CORRUPTION**

المجلس الاستشاري للإتحاد الإفريقي
لمحاربة الفساد

**CONSEIL CONSULTATIF DE L'UNION AFRICAINE SUR
LA CORRUPTION****CONSELHO CONSULTIVO DA UNIÃO AFRICANA SOBRE
CORRUPÇÃO**

P.O Box 6071, ARUSHA, TANZANIA -Tel: +255 27 205 0030- Fax: +255 27 205 0031

*Email: info@auanticorruption.org *Website: www.auanticorruption.org*

FROM: Hon. Bégoto Miarom
Chairperson, African Union Advisory Board on Corruption

TO: H.E. Thomas Kwesi Quartey
Deputy Chairperson, African Union Commission

**SUBJECT: Urgent Remedial Measures at the African Union
Advisory Board on Corruption (AUABC)**

Your Excellency,

I would like to inform you that the AU organ whose Bureau I have been chairing since the end of July 2017, is facing grave challenges in its operations due to the conduct displayed by the Executive Secretariat which borders on disdain, if not outright negligence, including serious violations of administrative ethics and the rules of good governance governing a specialised body like ours.

There are several grievances concerning the Executive Secretariat. The most serious one, bordering on insubordination, is the categorical refusal to execute the Bureau's instructions, thus undermining all the initiatives taken by Board members to fulfil their mandate.

Furthermore, there are examples of the Executive Secretariat's clear desire to slow down and even sabotage the Board's activities:

- refusal to make hotel bookings during missions by Bureau and Board members (who the Executive Secretariat insists must travel in economy class, even

on trips that are well above 5 or 6 hours);

- lack of response to all guidance, queries and various instructions sent by e-mail;
- decisions on sensitive matters without prior authorisation of the Bureau and the Board members, including the recruitment of an interim bilingual secretary to replace the Board's bilingual secretary who went on leave during the last Board session held from 11 to 16 December 2017, despite the fact that the dates of the session had been communicated in July 2017;
- the systematic refusal to communicate and submit working documents to the Bureau and Board members. A case in point is the budget of each Board session that is meant to be sent to the Bureau before the beginning of each session in accordance with the Rules of Procedure;
- refusal to submit financial reports of the missions conducted by the Board members;
- holding a working meeting with the Ambassador of Zimbabwe at the Board's headquarters and later declining to give a report to the Bureau, despite the Chairperson's insistence;
- withholding important information regarding the work of the Board. Often, information is not communicated to the Bureau or is conveyed very late, such as the *note verbale* sent to the Board by the Embassy of Tunisia in Addis Ababa, dated 10 November 2017 (see attached), received by the Board's Executive Secretariat on 4 December 2017 and communicated to the Bureau on 12 December 2017. The Executive Secretary took it upon herself to request one of her collaborators to acknowledge receipt of the *note verbale* and respond to it.

You will recall that the facts that I am raising were brought to your attention in an urgent memorandum signed by all AUABC Members on 16 December 2016 and have been the subject of financial audits that you expedited, and whose reports we only managed to access after repeated requests (at least for 2016).

In view of the foregoing and in the interest of justifying the decision of the continent's leadership to create an organ to fight corruption, I would be most grateful if you took urgent steps to bring to heel the Executive Secretariat to enable the Board, which it has obviously held hostage, to carry out the mission entrusted to it by the Heads of State and Government.

I am at your disposal to provide further clarifications, at a time of your convenience, on this situation whose perpetuation is undermining more the objectives of the African Union than it is our humble and modest selves.

Yours sincerely,

cc :

- The AUC Chairperson's Office
- The AUC Commissioner for Political Affairs



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Email: info@auanticorruption.org *Website: www.auanticorruption.org

URGENT MEMORANDUM

**FROM THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION (AUABC)
TO THE CHAIRPERSON OF THE AFRICAN UNION COMMISSION**

Your Excellency,

Subject: Obstruction to the proper functioning of the AUABC

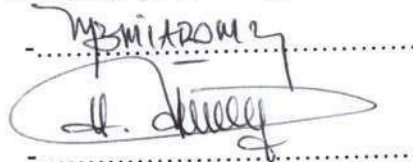
1. First and foremost, the Board wishes to congratulate you for the remarkable work you have done since your election as head of the AU Commission and to thank you for the audience granted to the Chairperson of the Board on 13 February 2018. The Board also wishes to thank you for the unwavering support you give to the Board for the implementation of its activities and especially for your personal commitment to the theme of the year *"Winning the Fight against Corruption: A Sustainable Path to Africa's Transformation."*
2. In order to meet this challenge, we need men and women who are available and willing to serve with integrity and objectivity, and are committed to supporting the Board in the context of its mandate. Unfortunately, and to date, the Board is continually faced with enormous administrative difficulties, which undermine its functioning and thus its mandate.
3. The Board has, on several occasions, drawn the attention of the Commission to confirmed cases of insubordination, negligence and mistrust by the Executive Secretary and obstacles to the organization of the Board's missions the Finance Officer (blatant reluctance to calculate the daily subsistence allowance of Board members and prepare financial reports of various missions and sessions).
4. The Board would also like to inform you of the initiative taken by the Executive Secretary to modify the composition of its Delegation to the January 2018 Summit with the sole objective of ensuring that the Finance Officer travels to Addis Ababa, the doctoring of the Board's report and draft decisions submitted to the PRC without any prior notice, even though the said documents had been adopted during the Board's session (Annex 6), as well as their refusal to submit a supplementary budget to the Board for 2018, the year which has been declared the Anti-Corruption Year by the Assembly of Heads of State and Government of our joint organization and therefore, the Board must be more active and visible.

AK

5. These concerns were brought to the attention of the Commission in memos dated 16 December 2016 and 21 December 2017 (Annexes 1 and 2). The queries sent (Annex 3), in March 2018 in particular, demonstrate that these two officials deliberately refused to contribute to the success of the Board's mission, especially since their responses to the queries are proof before the Board that they are in no manner willing to support the Board (Annexes 4 and 5).
6. The Board is deeply concerned and finds it incomprehensible and unacceptable that some officers decide 'take hostage' an organ whose mission remains very sensitive and of particular interest to our African leaders.
7. In order to ensure that its mission is achieved and, particularly in the special year, the Board recommends that urgent administrative measures be taken against these two officers to enable the Board to fulfill the enormous responsibility that the Heads of State entrusted to it by declaring 2018 as the African Anti-Corruption Year.

Done in Arusha (Tanzania), 16 March 2018

Honourable Begoto MIAROM
(Chairperson)



Honourable Hocine AÏT CHALAL
(Vice-Chairperson)



Honourable Elisabeth Gnansounou FOURN
(Rapporteur)



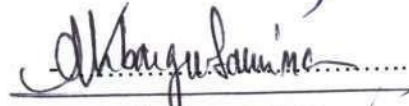
Honourable Pascal BAMOUNI
(Member)



Honourable Daniel BATIDAM
(Member)



Honourable Anne Marie Rose MOUGEMBA
(Member)



Honourable Paulus NOA
(Member)



Honourable Sabina SEJA
(Member)



Honourable Florence ZIYAMBI
(Member)



Honourable Amal AMAR
(Member)





**AFRICAN UNION ADVISORY
BOARD ON CORRUPTION**

المجلس الاستشاري للإتحاد الإفريقي
لمحاربة الفساد



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**Courriel : info@auanticorruption.org *Site web :
www.auanticorruption.org**

To

Arusha, 8th June 2018

The Chairperson
Hon. BEGOTO MIAROM
AUABC

Dear Hon. Chairperson

LETTER OF RESIGNATION

I hereby wish to tender in my resignation letter for onward transmission to the Chairperson of the African Union Commission as required by Article 4 (3) of the Board Rules of Procedure.

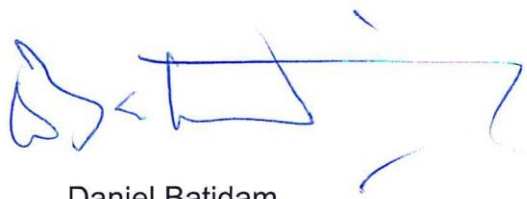
After witnessing several instances and degrees of bad governance, including the abuse of entrusted power (or corruption), lack of probity, accountability, transparency and integrity at the Secretariat of the AUABC and some Departments of the AU Commission itself for over a period of three years now, while all efforts at seeking redress have yielded no results, I have decided on grounds of principle that enough is enough.

Even as I step out of the AUABC, I wish to extend my sincere gratitude to the Executive Council of the African Union (AU) for having confidence in me by electing me to serve on the Board not only once but twice - first, in January 2015 for a term of two years and again in January 2017, to serve a second and last term of another two years in line with Article 22 of the African Union Convention on Preventing and Combating Corruption (AUCPCC).

Permit me, Hon. Chairperson, to also take this opportunity to commend the Heads of States and Governments of the AU for their demonstration of political will to fight corruption by declaring the year 2018 as the "Africa Anticorruption Year" as well as 11th of July to henceforth be commemorated annually as "Africa Anticorruption Day." I note with a great sense of satisfaction that it was under my tenure as Chairperson of the AUABC that these decisions were taken by our political leaders and I remain hopeful that these landmarks decisions will indeed bear some fruits for the benefit of Africa and its people who have suffered for far too long because of corruption.

I wish you, Hon Chairperson and other colleague members of the Board, all the best as you continue to strive to serve our dear continent.

Sincerely,



Daniel Batidam
Board member/ GHANA



AFRICAN UNION COMMISSION
Deputy Chairperson

BDCP/ H O 1/1425.18

14th June 2018

Dear Sir,

RE: LETTER OF RESIGNATION

I have the honour to acknowledge receipt of a copy of your letter of resignation dated 8th June, 2018.

It is most unfortunate that you find yourself unable to continue in your role as Board Member from Ghana on the African Union Advisory Board on Corruption. Considering that our objective for the year is to fight corruption on the continent, the reasons leading to your decision are indeed deeply regrettable. However, I respect your sentiments and your decision which is based on principles.

May I, on behalf of the Commission, take this opportunity to acknowledge and register our appreciation of your input and work on the AUABC over the period both as Member of the Board and as Chairperson, and to thank you for your services. It is an uphill task, however, this Commission is committed to vigorously confront and tackle the menace of corruption in its own ranks and its affiliates.

I wish you the best in your future endeavours.

Please accept the assurances of my highest consideration.


KWESI QUARTEY
DEPUTY CHAIRPERSON

HON. DANIEL BATIDAM
BOARD MEMBER/GHANA
AFRICAN UNION ADVISORY BOARD ON CORRUPTION
ARUSHA, TANZANIA



e-mail: info@auanticorruption.org

cc: H.E. the Chairperson of the AUC
AUC Headquarters, Addis Ababa



P.O Box 6071, ARUSHA, TANZANIA -Tel: +295 27 205 0030- Fax: +255 27 205 0031

Email: info@auanticorruption.org *Website: www.auanticorruption.org

RULES OF PROCEDURE OF THE ADVISORY BOARD ON CORRUPTION

GENERAL PROVISIONS

The Advisory Board on Corruption,

Having regard to the African Union Convention on Preventing and Combating Corruption, and in particular Article 22 (6),

HAS ADOPTED THESE RULES OF PROCEDURE:

Article 1

Definitions

In these Rules of Procedure:

"**Advisory Board**" means the African Union Advisory Board on Corruption;

"**Assembly**" means the Assembly of Heads of State and Government of the African Union;

"**Bureau**" means the Bureau of the Advisory Board comprising the **Chairperson, Vice-Chairperson** and **the Rapporteur**;

"**Chairperson**" means the Chairperson of the Advisory Board;

"**Commission**" means the African Union Commission;

"**Convention**" means the African Union Convention on Preventing and Combating Corruption;

"**Executive Council**" means the Executive Council of the African Union;

"**Rapporteur**" means the Rapporteur of the Advisory Board;

"**Secretariat**" means the administrative support structure for the Advisory Board;

"**State Party**" means any Member State of the African Union which has ratified or acceded to the Convention and has deposited its instruments of ratification or accession with the Chairperson of the Commission; and

"**Vice-Chairperson**" means the Vice-Chairperson of the Advisory Board;

CHAPTER I

THE ADVISORY BOARD

Article 2

Status

The Advisory Board is an autonomous organ of the African Union established by the Convention to promote policies and strategies for preventing and combating corruption in Africa.

Article 3

Composition

1. The Advisory Board comprises 11 members elected by the Executive Council from among a list of experts of the highest integrity, impartiality, and recognized competence in matters relating to preventing and combating corruption and related offences.
2. The members of the Advisory Board shall serve in their personal capacity.

Article 4

Term of Office

1. Members of the Advisory Board are elected for a period of two (2) years, renewable once.
2. A vacancy on the Advisory Board may arise through resignation, death, or by a decision of the Executive Council.
3. Any member wishing to resign from the Advisory Board shall submit a letter of resignation to the Chairperson who shall transmit the letter to the Chairperson of the Commission
4. A member may only be removed from office on the recommendation of two-thirds of the other members of the Advisory Board that the member no longer meets the requisite conditions specified in the Convention to continue being a member.
5. The Chairperson shall bring the recommendation for removal of a member from office to the attention of the Executive Council through the Chairperson of the Commission. The recommendation shall become final upon its adoption by the Executive Council.

6. Notification of the death of a member shall be sent to the Executive Council by the Chairperson through the Chairperson of the Commission.
7. The Executive Council shall fill any vacancies on the Advisory Board.

Article 5

Code of Conduct

1. The Advisory Board has adopted a Code of Conduct dealing with, inter alia, standards of ethics, confidentiality and conflict of interest. Each member of the Advisory Board shall sign and abide by the Code of Conduct.
2. All Members will make full disclosure of all their professional and business interests through a Declaration of Interests Register which shall be regularly updated.
3. Members are expected to attend all sessions of the Advisory Board.

Article 6

Taking Oath

The Members of the Advisory Board take the oath, before assumption of their duties, before the Chairperson of the African Union Commission, or before any competent authority, as follows: 'I,....., solemnly undertake to exercise in all loyalty, discretion and conscience, the functions and responsibilities entrusted to me as a Member of the Advisory Board on Corruption of the African Union and to discharge, with only the interests of fighting corruption in view, my functions faithfully and impartially.'

Article 7

Functions

1. The functions of the Advisory Board shall be to:
 - a. Promote and encourage adoption and application of anti-corruption measures on the continent;
 - b. Collect and document information on the nature and scope of corruption and related offences in Africa;
 - c. Develop methodologies for analyzing the nature and extent of corruption in Africa, and disseminate information and sensitize the public on the negative effects of corruption and related offences;
 - d. Advise governments on how to deal with the scourge of corruption and related offences in their domestic jurisdictions;

- e. Collect information and analyze the conduct and behavior of multi-national corporations operating in Africa and disseminate such information to national authorities designated under Article 18 (1) of the Convention;
 - f. Develop and promote the adoption of harmonized codes of conduct for public officials;
 - g. Build partnerships with the African Commission on Human and Peoples' Rights, African civil society, governmental, intergovernmental and non-governmental organizations to facilitate dialogue in the fight against corruption and related offences;
 - h. Submit a report to the Executive Council on a regular basis on the progress made by each State Party in complying with the provisions of this Convention;
 - i. Perform any other task relating to corruption and related offences that may be assigned to it by the policy organs of the African Union.
2. The Advisory Board shall develop a work-plan to implement each of the responsibilities placed on it by the Convention and these Rules.

CHAPTER II

STRUCTURE OF THE ADVISORY BOARD

Article 8

Composition and Appointment of the Bureau

The Advisory Board shall elect from among its members a Bureau Comprising a Chairperson, a Vice-Chairperson and a Rapporteur.

Article 9

Term of office of Bureau members

1. Members of the Bureau of the Advisory Board shall be appointed for a period of two (2) years.
2. A motion for the removal of a member of the Bureau or the entire Bureau shall be signed by at least five members of the Advisory Board and must be placed on the agenda of the next session of the Advisory Board.
3. The motion shall specify the ground upon which the removal of a member of the Bureau is sought.
4. Should there be no consensus among the members of the Advisory Board (excluding those whose removal is proposed), a decision to remove a member of the Bureau shall

require a two-thirds majority of the members present and voting. Members who are the subject of a motion for dismissal shall not be entitled to vote on such motion.

5. If a member of the Bureau decides to resign, he/ she shall inform the other members of the Bureau in writing.

Article 10

Duties of the Bureau

1. The Bureau will ensure the planning and co-ordination of the activities of the Advisory Board necessary to execute the functions of the Advisory Board.
2. The Bureau may represent the Advisory Board in regional and international conferences or sessions related to its functions and mandate. The Bureau may designate one or more member(s) of the Advisory Board to represent it at such events.
3. The Bureau may, after consultation with the Commission and on behalf of the Advisory Board, conclude partnerships and co-operation arrangements with regional or international institutions pursuing similar goals.
4. The Bureau shall operate as a collective body in exercising its responsibilities and functions.

Article 11

Duties of the Chairperson

1. The Chairperson shall represent the Advisory Board and is its spokesperson.
2. The Chairperson shall carry out the functions entrusted to him/her by these Rules of Procedure, decisions of the Advisory Board, the Assembly and the Executive Council. In the discharge of his/her functions, the Chairperson shall remain under the authority of the Advisory Board.
3. The Chairperson shall:
 - a. Present the provisional agenda for all sessions of the Board;
 - b. Convene and chair sessions of the Board;
 - c. Ensure that all proceedings of the Board are conducted in accordance with these Rules;
 - d. Direct the Board to execute its functions as set out in the Convention;
 - e. Present and defend the budget before the competent organs of the African Union;
 - f. Authorize the expenditure of the Board;
 - g. Present reports to the Executive Council;

- h. Ensure the implementation of the protocols and privileges of the members of the Board;
 - i. Exercise all other functions assigned to him/her by the Rules of Procedure, as well as any other tasks entrusted by the Board.
4. Where the Chairperson as well as the Vice-Chairperson and the Rapporteur are simultaneously absent, the Chairperson shall designate a member of the Advisory Board to discharge any duties or obligations that arise during the period of such non-availability.

Article 12

Duties of the Vice-Chairperson

1. The Vice-Chairperson shall assume the duties and responsibilities of the Chairperson whilst the latter is temporarily unable to perform his/her duties and responsibilities.
2. When acting as the Chairperson, the Vice-Chairperson shall have the same powers and the same functions as the Chairperson.
3. The Vice-Chairperson shall be responsible for:
 - a. Supervising the preparation of the budget by the Secretariat and presenting it for consideration by the Advisory Board;
 - b. Supervising the establishment of appropriate financial and accounting systems by the Secretariat;
 - c. Presenting regular financial reports to the Bureau; and
 - d. Maintaining oversight over the financial operations of the Secretariat.
4. The Vice-Chairperson shall in addition exercise any other functions entrusted to him/her by the Advisory Board or the Chairperson.
5. In the absence of the Vice Chairperson, the Chairperson shall perform the responsibilities of the office, or may designate a member of the Board to act as Vice Chairperson.

Article 13

Duties of the Rapporteur

1. The Rapporteur shall oversee and co-ordinate the functioning of the Secretariat of the Advisory Board and ensure that the Secretariat executes tasks delegated by the Advisory Board.
2. In particular the Rapporteur shall:
 - a) Ensure the timely preparation and distribution of all documents for sessions of the Advisory Board;

- b) Ensure that the Secretariat distributes all relevant documents to members of the Advisory Board in advance of sessions of the Advisory Board;
 - c) Prepare draft agendas and reports for consideration by the Bureau;
 - d) Ensure that the documents of the Advisory Board are translated into all the working languages of the African Union;
 - e) Prepare drafts reports and minutes of sessions of the sessions of the Advisory Board and Bureau;
 - f) Prepare draft statements of the Bureau and the Advisory Board;
 - g) Ensure that all documents emanating from the Advisory Board are distributed in all the working languages of the African Union.
3. Where both the Chairperson and the Vice-Chairperson are unavailable, the duties of Chairperson shall be exercised by the Rapporteur.
4. The Rapporteur shall perform any other duties assigned by the Chairperson.

CHAPTER III

SUB-COMMITTEES

Article 14

Establishment of Sub-Committees, Working Groups and Special Rapporteurs

1. The Advisory Board may establish sub-committees and working groups to assist it in the execution of its functions. Special Rapporteurs may be appointed to undertake special investigations.
2. The Advisory Board shall determine the mandate, terms of reference and administrative support of each such sub-committee or working group. Each sub-committee or working group shall submit a report on its work to the Advisory Board at each of its ordinary sessions or as requested by the Advisory Board.

CHAPTER IV

SECRETARIAT OF THE ADVISORY BOARD

Article 15

The Secretariat

1. The Advisory Board shall have a Secretariat operating under the authority of the Bureau.
2. The Advisory Board shall propose the organizational structure of the Secretariat, staffing complement which shall conform to the general policies and guidelines of the African Union.

3. The Secretariat of the Advisory Board shall be composed of an Executive Secretary and such professional, technical and administrative staff as may be necessary for its functioning.
4. The Advisory Board shall be involved in the recruitment of the entire staff of the Executive Secretariat.
5. The Secretariat shall organize all sessions of the Advisory Board and the Bureau.
6. The Secretariat shall provide all administrative support to the Advisory Board, maintain a registry of all documents and correspondence of the Advisory Board, and render a general record-keeping function relating to all its activities.

CHAPTER V

BUDGET OF THE ADVISORY BOARD

Article 16

Preparation of the Budget

1. The budget of the Advisory Board shall form part of the budget of the African Union.
2. The Advisory Board shall prepare the annual budget in accordance with the African Union Financial Rules and Regulations
3. After the budget is adopted by the Board, it shall be submitted to the relevant organs of the African Union for approval and inclusion in the African Union's budget.
4. The budget shall include the expenses of the Secretariat, the various expenses related to the execution of the mandate of the Advisory Board, as well as the entitlements of the Members of the Advisory Board.
5. The fees payable to members of the Advisory Board shall be determined by the Executive Council bearing in mind the relevant provisions of the African Union Financial Rules and Regulations
6. The budget of the Advisory Board may include additional funding:
 - a. Secured from donors and third parties.
 - b. Any such funds raised shall be disclosed in the reports and accounts of the Advisory Board.

Article 17

Donors

1. The Advisory Board may, after consultations with the Commission, negotiate financial agreements with donors. Such agreements may be signed by the Chairperson on behalf of the Advisory Board.

2. Copies of all financial agreements should be deposited with the Commission. The original copies of these agreements shall be kept by the Secretariat of the Advisory Board.
3. The Board shall inform the African Union Commission of all offers of funds from any donor, or proposed requests to donors.
4. All agreements should include a project management matrix (the deliverables, outcomes, the monitoring and evaluation methodology for the project, and reporting mechanisms).

CHAPTER VI

SESSIONS OF THE ADVISORY BOARD

Article 18

General Principle

The Advisory Board may meet in inaugural sessions, ordinary sessions, extraordinary sessions, and open sessions with stakeholders.

Article 19

Inaugural Sessions

The inaugural session is the very first session of every new mandate of the Advisory Board. It takes place upon the appointment of new Members of the Advisory Board.

Article 20

Ordinary Sessions

1. In carrying out its functions as outlined in the Convention, the Advisory Board shall meet in Ordinary Sessions.
2. The Advisory Board shall hold at least four (4) Ordinary Sessions per annum, each of which shall last at least 15 days, unless the Advisory Board decides otherwise.
3. Ordinary Sessions of the Advisory Board shall be convened by the Chairperson on the dates set by the Advisory Board on the recommendation of the Bureau.

Article 21

Extraordinary Sessions

1. The Chairperson of the Advisory Board may convene an Extraordinary Session, after consultation with members of the Advisory Board or at the request of a majority of members of the Advisory Board.

Article 22

Open Sessions

The Advisory Board may convene open, or special sessions with relevant stakeholders.

Article 23

Venue of Sessions

1. Sessions of the Advisory Board shall be held at its Headquarters.
2. They can also be held in any other Member State of the African Union. A Member State may invite the Advisory Board to hold a session in its country. The Member State shall be responsible for extra expenses incurred by the Advisory Board as a result of the session being held outside its Headquarters.
3. A Member State of the African Union under sanctions imposed by the African Union shall not host a session of the Advisory Board.

Article 24

Notification of the Opening Date of Sessions

1. The Chairperson shall notify members of the Advisory Board of the holding of each session. The notice of the session shall indicate, following consultation with the Bureau, the date, agenda, duration, venue of the session as well as any other relevant information.
2. For Ordinary Sessions, the notification shall be sent at least four (4) weeks before the opening of the session.
3. For Extraordinary Sessions, open sessions or special sessions the notification shall be sent at least two (2) weeks before the opening of the session.
4. Such notice shall include the reasons for convening the Session.

Article 25

Quorum

The quorum for a session of the Advisory Board shall be six (6) members.

Article 26

Agenda

1. The Provisional Agenda for each Ordinary Session shall be drawn up by the Bureau after considering the draft prepared by the Rapporteur.
2. In preparing the Provisional Agenda the Bureau must consider all proposals for the agenda submitted by members of the Advisory Board, the Executive Council or other policy organs of the African Union and State Parties. However they are not obliged to include all such proposals on the Provisional Agenda.
3. In formulating a Provisional Agenda, the Bureau may decide to invite a person who is not a member of the Advisory Board to attend and speak on a specific item.
4. The Provisional Agenda of an Extraordinary Session of the Advisory Board shall include only the item(s) submitted for consideration in the request for convening the session.
5. The Bureau shall agree on the Provisional Agenda for special and open sessions.

Article 27

Distribution of Provisional Agenda and Working Documents

The Provisional Agenda and the related working documents shall be distributed to the members of the Advisory Board at least two (2) weeks before the Ordinary Session is scheduled to commence.

1. In exceptional cases some documents may be distributed to members of the Advisory Board later but members should be advised in advance that documents will be arriving late and be given reasons for the delay.
2. The Provisional Agenda and the working documents relating to each item of the Provisional Agenda shall be distributed to the members of the Advisory Board at least one (1) week before an Extraordinary Session is scheduled to commence.
3. The Board shall determine the modalities for distributing the Provisional Agenda and working documents for special and open sessions with stakeholders.

Article 28

Adoption of the Agenda

1. At the beginning of each session, the Advisory Board shall consider the Provisional Agenda and adopt an Agenda for the session.
2. Any proposal submitted in accordance with the provisions of Rule 25.2 above but not included in the Provisional Agenda shall be included in the Agenda of the Advisory Board if the majority of the members present and voting so decide.

Article 29

Working Languages

1. The working languages of the Advisory Board shall be those of the African Union.
2. The Secretariat shall ensure that simultaneous translation services are available for members of the Advisory Board as required.
3. Any person or entity communicating with the Advisory Board in a language which is not one of the working languages of the African Union shall provide a translation of such communication in at least one of the working languages of the African Union. Interpreters for the Advisory Board shall verify or amend the translation provided as and when necessary. This verified and amended version will be the formal reference source and form part of the official records of the Advisory Board.

CHAPTER VII

ORDER OF DELIBERATIONS

Article 30

Opening and Closing of Sessions

1. The Chairperson shall open and close each Session of the Advisory Board.
2. The Chairperson shall moderate the deliberations, ensure the application of these Rules, encourage members to participate in the discussions, put issues to a vote if consensus is not reached, and otherwise guide the session.
3. At the end of a Session the Advisory Board issues a Communiqué or makes a public statement.

Article 31

List of Speakers and Use of the Floor

1. The Chairperson shall maintain a list of speakers at all sessions and call upon them in the order in which they indicated their desire to speak.
2. The Chairperson may limit the time allowed to each speaker in order to ensure the efficient conduct of the session.

Article 32

Order of Procedural Motions

Motions shall have precedence in the order listed below, over all other proposals before the Advisory Board:

- (a) Competence of the Advisory Board

- (b) Point of order
- (c) Recusal of a member of the Advisory Board
- (d) Suspension of the session
- (e) Suspension of the debate on a matter under discussion.
- (f) Closure of the Debate on a matter under discussion.

CHAPTER VIII

VOTING

Article 33

Decision Making

1. The Advisory Board shall seek to reach decisions by consensus. If consensus is not attained the matter shall be put to a vote.
2. In case of a vote, the decision shall be by a simple majority of members present and voting.
3. In the event of a tied vote, the Chairperson shall exercise a casting vote.

Article 34

Method of Voting

1. Voting may be by show of hand or by secret ballot.

CHAPTER IX

REPORTS OF THE ADVISORY BOARD

Article 35

Reporting on Activities

1. The Advisory Board shall submit reports to the Executive Council on a regular basis on the progress made by each State Party in complying with the provisions of the Convention.
2. The Advisory Board shall also submit reports to the policy organs of the African Union that have requested the Advisory Board to perform any other tasks.

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Article 36

Distribution of Reports and Other Official Documents

1. Reports, decisions and all other official documents of the Advisory Board and its sub-committees and working groups shall be documents for general distribution, unless the Advisory Board decides otherwise.
2. Reports and other additional information submitted by national authorities and agencies charged with combating corruption in State-Parties in accordance with Article 22 (7) of the Convention shall be documents for general distribution, unless the Advisory Board decides otherwise.

CHAPTER X

MISSIONS

Article 37

Missions and Invitations to Conferences

1. The Advisory Board may decide to send missions to Member States of the African Union. Such missions shall be governed by the guidelines on missions that are applicable to African Union organs.
2. Invitations to seminars, conferences, joint missions or any other event received by the Advisory Board shall be processed as follows:
 - a. Invitations received by the Secretariat shall be placed before the Bureau for its consideration. The Bureau shall decide whether to accept the invitation and if so, to identify the appropriate member(s) to attend;
 - b. Any invitation received by a member of the Advisory Board and addressed to the Advisory Board and not an individual member, shall be forwarded to the Secretariat for consideration by the Bureau. The Bureau shall decide whether to accept the invitation and if so, to identify the appropriate member(s) to attend;
 - c. Invitations addressed to a specific member of the Advisory Board and received by the Secretariat shall be forwarded to the member concerned and to the Bureau. The member invited should inform the Secretariat whether or not he/she is available to

honour the invitation. The member will not represent the Advisory Board but may attend in his/her personal capacity;

- d. For invitations addressed to a specific member and received directly by the latter, a copy shall be sent to the Secretariat, stating whether or not the member invited can honour the invitation. The member will not represent the Advisory Board but may attend in his/her personal capacity;
3. A member attending any meeting as a representative of a government or any other entity shall not purport to also represent the Advisory Board at such a meeting.

CHAPTER XI

FINAL PROVISIONS

Article 38

Amendment to the Rules of Procedure

The Advisory Board may amend these Rules by two-thirds majority.

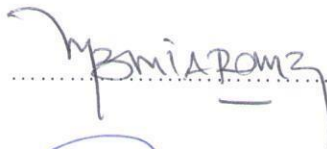
Article 39

Entry into Force

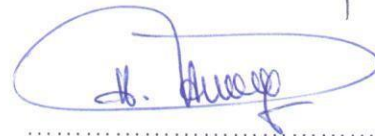
These Rules of Procedure shall enter into force after its adoption by the Advisory Board.

THESE RULES OF PROCEDURE OF THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION ARE HEREBY ADOPTED ON THIS SEVENTH DAY OF THE MONTH OF OCTOBER 2017.

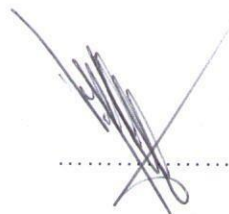
Honourable Begoto MIAROM
(Chairperson)

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Honourable Hocine AÏT CHALAL
(Vice-Chairperson)

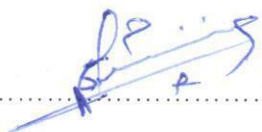
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Honourable Elisabeth Gnansounou FOURN
(Rapporteur)

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Honourable Pascal BAMOUNI

(Member)

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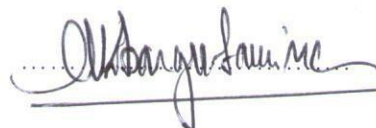
Honourable Daniel BATIDAM

(Member)

-

Honourable Anne Marie MOUGEMBA

(Member)

- 

Honourable Paulus NOA

(Member)

- 

Honourable Sabina SEJA

(Member)

- 

Honourable John Kithome TUTA

(Member)

- 

Honourable Florence ZIYAMBI

(Member)

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2019-02-07

10th activity report of the African Union Advisory Board on Corruption to the Executive Council (January 2019) Submitted in Accordance with Article 22 of the African Union Convention on Preventing and Combating Corruption

Africa Union

African Union

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